



**EUROPEAN COMMISSION**  
**ENTERPRISE DIRECTORATE-GENERAL**

Single market, implementation and legislation for consumer goods  
Automotive industry

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Dr-Ing Giok Djien Go  
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**Subject: Substitution of air-bags and patents concerning safety belts**

Dear Dr. Go,

Commissioner Liikanen has forwarded to me the file you sent on 14<sup>th</sup> April to Commissioner Wallström and requested that I should reply to you on his behalf.

Though I already sent you a reply on 20 March 2003 to the previous letters that you sent to the Commission, I would like to comment briefly some points mentioned in your file.

**1. SUBSTITUTION OF AIR-BAGS**

Air-bags have been developed to provide better protection to vehicle occupants in different types of accidents, including those where the occupants do not use their safety belts for some reason.

Air-bags originally fitted in vehicles are not regulated in the Directives of the European Union. Neither Directive 96/27/EC on side impact nor Directive 96/79/EC on frontal impact requires air-bags to be fitted to comply with the prescriptions of these directives.

Concerning your proposal to substitute air-bags for the purposes of protection of the environment, you should consider that Annex I to Directive 2000/53/EC on end-of life vehicles<sup>1</sup> prescribes that air-bags should be removed or neutralised from end-of-life vehicles before any further after-treatment could be applied.

Lastly, I would like to stress that nothing prevents a manufacturer from using your patents with a view to complying with Directives 96/27/EC and 96/79/EC.

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<sup>1</sup> Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of life vehicles (*Official Journal L 269, 21/10/2000 P.34*)

## 2. EURO NCAP TESTS

Euro NCAP was established in 1997 with a view to encouraging significant safety improvements to new car design. It is supported by some Member States, the European Commission, motoring and consumer organisations.

I note your reservation about the appropriateness of the tests performed by Euro NCAP. I would recommend that you contact the consortium in order to present your ideas and get a first feedback.

## 3. PATENTS CONCERNING SAFETY BELTS

As I said in my previous letter I would recommend that your proposals are assessed by comparing them with the current solutions, by means of tests performed on vehicles.

I would also like to recall once again that Directive 77/541/EEC on seat belt installation<sup>2</sup> does not prevent a manufacturer from installing types of seat belts other than three-point belts, provided they comply with the technical provisions of Directive 77/541/EEC.

Yours sincerely,



Per-Ove Engeltbrecht  
Head of unit

Copy to    Mr. Cozigou, Deputy Head of Cabinet;  
              Mr. Theologitis, Head of Unit, Directorate-General for Energy and Transport;  
              Ms. Klingbeil, Head of Unit, Directorate-General for Environment.

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<sup>2</sup> Council Directive 77/541/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to safety belts and restraint systems of motor vehicles (*Official Journal L 220, 29/08/1977 P. 95*)